

**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN  
BY-LAW 2018-01**

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Policy for the Sale or Other Disposition of Municipal Land

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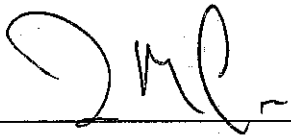
**WHEREAS** the Corporation of the Municipality of Powassan (the "Corporation") is desirous of establishing a Policy for the Sale or Other disposition of Municipal Lands.

**NOW THEREFORE** the Council of the Corporation hereby enacts as follows:

1. That the Policy for the Sale or Other Disposition of Municipal Lands as attached hereto as Schedule "A" be adopted;
2. That if the provisions of this By-law conflict with any other By-law of the Corporation heretofore passed the provisions of this By-law shall prevail;
3. That this By-law come into force and take effect immediately for any future sales or other dispositions;

**READ** a **FIRST** and **SECOND** time this 2nd day of January, 2018

**READ** a **THIRD** time and **PASSED**, signed and sealed on this 2nd day of January, 2018.



Mayor



Clerk

**SCHEDULE "A" TO BY-LAW 2018-01**  
**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN**  
**POLICY FOR THE SALE OR OTHER DISPOSITION OF MUNICIPAL LAND**

**DEFINITIONS**

For the purpose of this Policy:

1. (a) "appraisal" means a written opinion of the fair market value of land.
- (b) "Municipality" means the Corporation of the Municipality of Powassan.
- (c) "sale" means the transfer of the fee simple interest in land or leasing of land directly or by entitlement to renewal for a period of 21 years or more.

**SURPLUS LANDS**

2. Prior to the sale of any land, the Municipality shall by by-law or resolution declare the land to be surplus.

**APPRAISALS**

3. Prior to the sale of any land, the Municipality shall obtain at least one Opinion of Value or Appraisal of the land by a Registered Real Estate Professional.

**METHOD OF SALE OR OTHER DISPOSITION**

4. The Council of the Municipality shall by by-law determine the method and terms to be used for the sale of any lands and the Clerk of the Municipality shall carry out the sale in accordance with the method and terms authorized.

**PUBLIC NOTICE**

5. The Municipality shall give notice to the public of a proposed sale in accordance with the provisions of the Municipality's By-law to establish procedures for Notices.

**EXCLUSIONS, APPRAISAL**

6. Paragraph 3 of this Policy shall not apply to the sale of the following classes of land :
  - (a) land 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act;
  - (b) closed highways if sold to an owner of land abutting the closed highways;

- (c) land formerly used for railway lines if sold to an owner of land abutting the former railway land;
- (d) land that does not have direct access to a highway if sold to the owner of land abutting that land;
- (e) land repurchased by an owner in accordance with s.42 of the Expropriations Act;
- (f) land sold under sections 107 and 108 of the Municipal Act, 2001;
- (g) land sold to a Municipality, a local board including a school board and conservation authority, or the Crown in Right of Ontario or Canada and their agencies.

#### EXCLUSIONS, GENERAL

7. This policy shall not apply to the sale of the following classes of land:

- (a) land sold under s.110 of the Municipal Act, 2001;
- (b) land to be used for the establishment and carrying on of industries and industrial operations and incidental uses;
- (c) land sold under Part XI of the Municipal Act, 2001.